

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**FELIX DELGADO, CARLOS
DOMINGUEZ, LUIS MAURISECA, KAE
HEUNG PARK, LONG FAN JIN, JORGE
PENAPIEL, MANUEL TENEZACA,
PASCACIO CALLEJAS, SANTOZ
MENDOZA, and JOAQUIN MACARENO,**

Plaintiffs,

-against-

**KIKO CONSTRUCTION INC., REX KIM,
and KWANG YONG BYUN,**

Defendants.

08CV1984 (DAB) (MDF)

ECF Case

**PROPOSED DEFAULT
JUDGMENT ORDER**

NOT ENFORCED

This action having been commenced on February 28, 2008 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on Defendant Kiko Construction Inc. on February 29, 2008 by service upon the New York Secretary of State, and a proof of service having been filed on March 11, 2008, and a copy of the Summons and Complaint having been served on Defendant Rex Kim on June 10, 2008, by personal service, and a proof of service having been filed on June 20, 2008, and the Defendants Kiko Construction Inc. and Rex Kim not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED, AND DECREED: That the Plaintiffs have judgment against Defendants Kiko Construction Inc. and Rex Kim in the amount of \$61,224.20, including interest at 9%, from Defendants Kiko and Rex Kim, pursuant to Federal Rule of Civil Procedure 55 and Local Rule of the United States District Court Southern District of New York 55.2. The breakdown of damages and interest for each of the Plaintiffs is as follows:

1. Jorge Penapiel: \$3,493.00 of compensatory damages, \$1,898.00 of federal liquidated damages, \$873.25 of state liquidated damages, and interest at 9% from July 5, 2007 to August 11, 2008, for \$345.81, for a total as of \$6,610.06, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

2. Felix Delgado: \$1,693.00 of compensatory damages, \$974.00 of federal liquidated damages, \$423.25 of state liquidated damages, and interest at 9% from July 5, 2007 to August 11, 2008, for \$167.61, for a total as of \$3,257.86, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

3. Pascacio Callejas: \$1,693.00 of compensatory damages, \$974.00 of federal liquidated damages, \$423.25 of state liquidated damages, and interest at 9% from July 5, 2007 to August 11, 2008, for \$167.61, for a total as of \$3,257.86, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

4. Kae Heung Park: \$4,349.00 of compensatory damages, \$2,794.60 of federal liquidated damages, \$1,087.25 of state liquidated damages, and interest at 9% from May 28, 2007 to August 11, 2008, for \$473.61, for a total as of \$8,704.46, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

5. Carlos Dominguez: \$4,294.50 of compensatory damages, \$3,001.50 of federal liquidated damages, \$1,073.63 of state liquidated damages, and interest at 9% from March 7, 2007 to August 11, 2008, for \$552.70, for a total as of \$8,922.33, as shown by the spreadsheet annexed

as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

6. Manuel Tenezaca: \$2,834.50 of compensatory damages, \$1,236.00 of federal liquidated damages, \$708.63 of state liquidated damages, and interest at 9% from May 3, 2007 to August 11, 2008, for \$326.53, for a total as of \$5,105.66, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

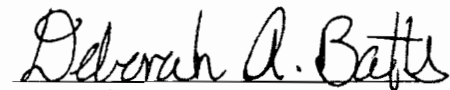
7. Luis Mauriseca: \$6,331.29 of compensatory damages, \$1,545.00 of federal liquidated damages, \$876.50 of state liquidated damages, and interest at 9% from April 30, 2007 to August 11, 2008, for \$403.89, for a total as of \$6,331.39, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

8. Joaquin Macareno: \$3,214.50 of compensatory damages, \$1,784.50 of federal liquidated damages, \$803.63 of state liquidated damages, and interest at 9% from April 13, 2007 to August 11, 2008, for \$384.78, for a total as of \$6,187.40, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

9. Santoz Mendoza: \$3,214.50 of compensatory damages, \$1,784.50 of federal liquidated damages, \$803.63 of state liquidated damages, and interest at 9% from April 13, 2007 to August 11, 2008, for \$384.78, for a total as of \$6,187.40, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

10. Long Fan Jin: \$3,482.25 of compensatory damages, \$1,927.75 of federal liquidated damages, \$870.56 of state liquidated damages, and interest at 9% from May 28, 2007 to August 11, 2008, for \$379.22, for a total as of \$6,659.78, as shown by the spreadsheet annexed as **Exhibit F**, which is justly due and owing, and no part of which has been paid except as therein set forth.

Dated: New York, New York
August 26, 2008



Deborah A. Batts
United States District Judge
Southern District of New York

or
J. Michael McMahon
Clerk of the Court

This document was entered on the
docket on _____